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Paper No. 14

ROBERT J. DEPKE LEWIS T. STEADMAN HOLLAND & KNIGHT LLC 131 SOUTH DEARBORN 30TH FLOOR CHICAGO, IL 60603 NOV 3 2004

In re Application of:

IKEDA, HIROYUKI

Application No. 09/821,636

Filed: March 29, 2001 :

abandonment for the above-identified application.

Attorney Docket No.: 09792909-4795

DECISION ON PETITION TO

WITHDRAW HOLDING OF

**ABANDONMENT** 

This is a decision on the petition filed, April 12, 2004, requesting withdrawal of the holding of

The petition is granted.

The application was held abandoned for failure to respond to the Office action mailed March 19, 2003. A Notice of Abandonment was mailed November 18, 2004.

Petitioner asserts that on April 24, 2003, a response was timely filed. To support this assertion, petitioner has submitted a copy of the response and a copy of an itemized postcard date stamped by the United States Patent and Trademark Office (PTO) on September 19, 2003.

A review of the application file record reveals that the above-identified response was not associated with the application file at the time the Notice of Abandonment was mailed, but has since been located and matched therewith.

For the above stated reason, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the examiner for appropriate action.

Inquiries regarding this decision should be directed to Lissi Mojica Marquis at (571) 272-1596.

James L. Dwyer, Director

Technology Center 2800

Semiconductors, Electrical and Optical

Systems and Components